



General Assembly

January Session, 2011

Raised Bill No. 6537

LCO No. 4135

04135_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING SPEEDY TRIALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-82m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 In accordance with the provisions of section 51-14, the judges of the
4 Superior Court shall make such rules as they deem necessary to
5 provide a procedure to assure a speedy trial for any person charged
6 with a criminal offense on or after July 1, 1985. Such rules shall provide
7 that (1) in any case in which a plea of not guilty is entered, the trial of a
8 defendant charged in an information [or indictment] with the
9 commission of a criminal offense shall commence within twelve
10 months from the filing date of the information or [indictment or from]
11 the date of the arrest, whichever is later, except that when such
12 defendant is incarcerated in a correctional institution of this state
13 pending such trial and is not subject to the provisions of section 54-82c,
14 the trial of such defendant shall commence within eight months, if the
15 most serious charge contained in the information is a felony, or ninety
16 days, if the most serious charge contained in the information is a

17 misdemeanor, from the filing date of the information or [indictment or
 18 from] the date of arrest, whichever is later; [and] (2) except as provided
 19 in subdivision (3) of this section, if a defendant is not brought to trial
 20 within the time limit set forth in subdivision (1) of this section and a
 21 trial is not commenced within thirty days of a motion for a speedy trial
 22 made by the defendant at any time after such time limit has passed, the
 23 information [or indictment] shall be dismissed; and (3) if a defendant is
 24 incarcerated in a correctional institution, the most serious charge
 25 contained in the information is a misdemeanor and the defendant is
 26 not brought to trial within the ninety-day limit set forth in subdivision
 27 (1) of this section, (A) the defendant shall be released by the court
 28 upon the defendant's execution of a written promise to appear with
 29 such nonfinancial conditions, if any, found sufficient to reasonably
 30 assure the appearance of the defendant in court, (B) the trial of such
 31 defendant shall commence within twelve months from the filing date
 32 of the information or the date of the arrest, whichever is later, and (C)
 33 if the trial is not commenced within such twelve-month limit, the
 34 information shall be dismissed. Such rules shall include provisions to
 35 identify periods of delay caused by the action of the defendant, or the
 36 defendant's inability to stand trial, to be excluded in computing the
 37 time limits set forth in subdivision (1) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2011	54-82m
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Statement of Purpose:

To revise the time period and procedure for commencing the trial of a defendant charged only with a misdemeanor so that he or she is not held pretrial for a longer period of time than the maximum sentence which could be imposed.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]